

itself is the judgement call of the judge and the lawyers who argued for the judge. But I ask you to remember the statute that we put into effect that said that the state guaranteed the amounts, and the misunderstanding, the very real misunderstandings that derive from that representation. There is no tort claim for that against the Legislature, or against the Banking Department. But it seems to me that that was a very real factor in this case, that it was not particularly wise on our part and that it should count for something. You remember the fact that the State Banking Department allowed the guaranty to go from \$10 million to \$30 million at that very point in time when they knew there was big trouble in the system. That is not part of the tort claim, never was, never will be, never could be. But I think that counts for something. That is part of the miscellaneous claim. I think that was a big mistake on our part. In short, there are four or five factors like this that I think should be accounted for. They are accounted for under the category of miscellaneous claim, moral obligation, however you want to characterize it, public purpose. And that is what I am asking you for now, is some consideration of that miscellaneous claim, not to simply reject it entirely as a worthless claim because I don't think it is a worthless claim in real common sense terms, in real meaningful terms. It has legal difficulties, that is true. So that is the proposition I would put before you and suggest that as a compromise between those who had hoped that \$20 million might be what we could get and those of you who are thinking that \$8.5 is what should happen. I think that \$12 million...

SPEAKER NICHOL: Time.

SENATOR BEUTLER: \$12,500,000 altogether is not an unreasonable suggestion.

SPEAKER NICHOL: Senator Beutler, you are entitled to more time, I shut you off at half the amount. Sorry about that.

SENATOR BEUTLER: Well, you measured me just about right, Mr. Speaker. I was done.

SPEAKER NICHOL: Senator Schmit, then Senator Nelson, then Senator Goodrich.

SENATOR SCHMIT: Mr. President, members of the body, I